

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

C.H.,	:	
	:	
Plaintiff,	:	C.A. No. 07-193
	:	
v.	:	
	:	
THE CAPE HENLOPEN SCHOOL	:	
DISTRICT, GEORGE E. STONE,	:	
THE DELAWARE DEPARTMENT OF	:	
EDUCATION, and SECRETARY	:	
VALERIE A. WOODRUFF,	:	
	:	
Defendants.	:	

**STIPULATION AND ORDER
TO FILE ADMINISTRATIVE RECORD UNDER SEAL**

NOW COME the parties, by and through their counsel of record, and stipulate as follows:

1. This case involves an action for judicial review of an administrative panel decision pursuant to 20 U.S.C. § 1415(i)(2)(A) of the Individuals With Disabilities Education Act. The action concerns the educational rights of a minor child with a disability.
2. In any action brought under 20 U.S.C. § 1415(i)(2)(C), the Court: (i) shall receive the records of the administrative proceedings; (ii) shall hear additional evidence at the request of a party; and (iii) basing its decision on the preponderance of the evidence, shall grant such relief as the Court determines is appropriate.
3. The Delaware Department of Education, as the state educational agency, maintains the administrative record and is responsible for filing it with the Court.
4. Most of the administrative record includes personally identifiable information

related to Plaintiff, C.H., and is protected from disclosure by the Family Education Rights to Privacy Act, 20 U.S.C. § 1232(g), 34 C.F.R. Part 99, and Delaware Department of Education regulations, 14 DE Admin Code § 251.

5. As a result, the parties stipulate and agree the administrative record shall be filed with the Court under seal.

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IT IS SO ORDERED this _____ day of _____, 2007.

UNITED STATES MAGISTRATE JUDGE